

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Reissue Application of:)
)
 Inventor(s): Bosley et al.)
)
 Serial No.: 09/782,897)
)
 Filed: February 13, 2001)
)
 Examiner: Louis J. Casaregola)
)
 Art Unit: 3746)
)
 For: LIQUID FUEL)
 PRESSURIZATION AND)
 CONTROL METHOD)

PETITION UNDER 37 C.F.R. §1.47(A)

Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

Applicants Robert W. Bosley, Steven W. Lampe and Edward C. Edelman hereby petition for leave to make the present application on behalf of themselves and their co-inventor, Ronald F. Miller, who cannot be reached or found after diligent effort, as set forth in the attached Declaration of Janet Kornbluth. The last known address for Mr. Miller is 24 Yawl Street #6, Marina del Rey, California 90292. The proper fee as set forth in 37 C.F.R. 1.17(h) is enclosed together with the Amendment & Response fee filed concurrently herewith.

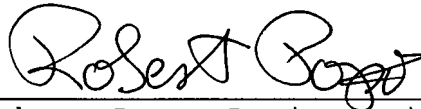
05/08/2002 HNDOR1 00000046 09782897

02 FC:122

130.00 OP

No additional fees are believed to be due. If a fee is in fact due, please charge it to our deposit account No. 09-0946. A duplicate of this paper is enclosed.

Respectfully submitted,



Robert Popa, Registration No. 43,010
Irell & Manella, LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067
Telephone: (310) 203-7535
Facsimile: (310) 203-7199



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**DECLARATION OF JANET M. KORNBLUTH IN SUPPORT OF
 PETITION UNDER 37 C.F.R. §1.47(A)**

Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

I, Janet M. Kornbluth, hereby declare as follows:

1. I am a legal assistant with the law firm of Irell & Manella LLP, where I assist in the preparation and prosecution of patent applications.

2. On April 11, 2002 I received an email from Paul Chancellor who is an employee of the Capstone Turbine Corporation, the assignee of the present application. In the e-mail message Mr. Chancellor stated that the address of Ronald F. Miller is 24 Yawl Street, #6, Marina del Rey, California 90292. Attached

hereto as Exhibit A is a true copy of the e-mail message from Mr. Chancellor.

3. On April 11, 2002, I sent a package via Federal Express to Mr. Miller at the Yawl Street address. The package contained a copy of the instant reissue application together with a reissue application declaration, and a letter asking Mr. Miller to review the application and execute the declaration. The package was returned as undeliverable on April 19, 2002. Attached hereto as Exhibit B is a printout from the Federal Express web site reporting on the attempted delivery.

4. On April 19, 2002, I resent the package by Express Mail to Mr. Miller at the Yawl Street address. The package was again returned as undeliverable on April 21, 2000. Attached hereto as Exhibit C is a printout from the Federal Express web site reporting on the attempted delivery.

5. On April 23, 2002, I sent the package by Express Mail to Mr. Miller at the Yawl Street address. The Express Mail package was returned as undeliverable on April 25, 2002. Attached hereto as Exhibit D is a printout from the Express Mail web site track of that attempted delivery.

Respectfully submitted,

Dated: April 30, 2002



Janet M. Kornbluth

153501-0321

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Exhibit A

Kornbluth, Janet

From: Backofen, Paul
Sent: Thursday, April 11, 2002 10:38 AM
To: Kornbluth, Janet
Subject: FW: Last Known Addresses



This is the entire list.

-----Original Message-----

From: Paul Chancellor [mailto:pchancellor@capstoneturbine.com]
Sent: Thursday, April 11, 2002 10:05 AM
To: pbackofen@irell.com
Subject: FW: Last Known Addresses

PaulB,

See Wieland address below. Also note that Miller address shown below IS the last known address.

PaulC

-----Original Message-----

From: Dennis Weissert
Sent: Thursday, April 11, 2002 10:03 AM
To: Paul Chancellor; 'Backofen, Paul'
Subject: RE: Last Known Addresses

Kurt Wieland
29811 Disney lane
Vista, CA. 92084

-----Original Message-----

From: Paul Chancellor
Sent: Thursday, April 11, 2002 10:01 AM
To: 'Backofen, Paul'
Cc: Dennis Weissert
Subject: RE: Last Known Addresses

PaulB,

Ron Miller address is as shown below. Kurt Wieland address still needed from Dennis Weissert ?

PaulC

-----Original Message-----

From: Backofen, Paul [mailto:PBackofen@irell.com]
Sent: Thursday, April 11, 2002 9:41 AM
To: Paul Chancellor
Subject: RE: Last Known Addresses

PaulC

Thanks for the addresses. Please send me written confirmation of the address for Ron Miller asap.
We must send the material to the last known address.
Thanks

-----Original Message-----

From: Paul Chancellor [mailto:pchancellor@capstoneturbine.com]

Sent: Wednesday, April 10, 2002 3:26 PM
To: pbackofen@irell.com
Cc: Dennis Weissert
Subject: FW: Last Known Addresses

Dennis,

Please send Curt Weiland's address to me and to pbackofen above.

Paul

> -----Original Message-----

> From: Debbie Bernard
> Sent: Friday, April 05, 2002 11:02 AM
> To: Paul Chancellor
> Subject: RE: Last Known Addresses

>

>

>

> -----Original Message-----

> From: Paul Chancellor
> Sent: Friday, April 05, 2002 10:27 AM
> To: Debbie Bernard
> Subject: Last Known Addresses

>

> Debbie,

>

> Do you have addresses for:

>

> Claude Khalizadeh

> 122 Pebble Place, San Ramone, CA 94583

> Ed Edelman

> 30406 Passageway Place, Agoura Hills CA 91301

> Wiley Gilreath

> 2438 Knightwood, Simi Valley, CA 93063

> Dan B (still w/ Capstone ????) Bakholidin (Dan is no longer an
employee)

> 18920 Felbridge, Canyon Country, CA 91351

> Ron Miller

> 24 Yawl St #6, Marina del Rey, CA 90292

> Note: Rumor has it that Ron may have moved. April Wall may have a
more

current address.

>

>

> Tks,

>

> Paul

"WorldSecure <irell.com>" made the following
annotations on 04/11/02 09:41:16

PLEASE NOTE: This message, including any attachments, may include
privileged, confidential and/or inside information. Any distribution or
use of this communication by anyone other than the intended recipient(s)
is strictly prohibited and may be unlawful. If you are not the intended
recipient, please notify the sender by replying to this message and then
delete it from your system. Thank you.

=====
=====

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Exhibit B



Ship Manager

- ▶ [Ship Inside U.S.](#)
- ▶ [Ship Outside U.S.](#)
- ▶ [Ship Inside U.S.-Freight](#)
- ▶ [Track Shipment](#)
- ▶ [Cancel Shipment](#)
- ▶ [Schedule Courier](#)
- ▶ [Address Book](#)
- ▶ [Fast Ship Profiles](#)
- ▶ [Shipping History](#)
- ▶ [Update Shipping Profile](#)
- ▶ [Help/FAQs](#)
- ▶ [Tutorial](#)
- ▶ [Contact Information](#)

- ▶ [My Profile](#)
- ▶ [Go to fedex.com](#)
- ▶ [Go to My FedEx](#)
- ▶ [Go to Ship Manager Login](#)
- ▶ [Order Supplies](#)

▶ [Logout](#)

Shipment Tracking

FedEx has processed your shipment shown below. If you have any questions about this shipment, you can [email](#) us or contact your [customer service representative](#).

Est. Delivery Reattempt 04/16/2002 by 16:30

Tracking Number 792015607004

Reference Number 153501-0321

Ship Date 04/11/2002

Delivered To

Delivery Location MARINA DEL REY CA

Delivery Date/Time

Signed For By

Service Type Priority Pak

Scan Activity	Date/Time	Comments
Package status MARINA DEL REY CA	04/15/2002 17:00	Package in FedEx location
Package status MARINA DEL REY CA	04/15/2002 14:01	Package in FedEx location
Delivery attempt MARINA DEL REY CA	04/15/2002 12:59	Customer not available or Business closed
On FedEx vehicle for delivery MARINA DEL REY CA	04/15/2002 08:18	
Package status MARINA DEL REY CA	04/13/2002 10:05	Package in FedEx location
Package status MARINA DEL REY CA	04/12/2002 17:49	Package in FedEx location
Delivery attempt MARINA DEL REY CA	04/12/2002 13:38	Customer not available or Business closed
Delivery attempt MARINA DEL REY CA	04/12/2002 09:58	Customer not available or Business closed
On FedEx vehicle for delivery MARINA DEL REY CA	04/12/2002 08:07	
Arrived at FedEx Destination Location MARINA DEL REY CA	04/12/2002 06:54	
Left FedEx Origin Location MARINA DEL REY CA	04/11/2002 20:35	
Pickup status MARINA DEL REY CA	04/11/2002 17:09	Pre-routed meter pkg picked up

[Return to Shipping History](#)

[Return to Shipping](#)

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Exhibit C



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► Shipping center *Track & Confirm*

► Track & Confirm

[Delivery Confirmation](#)
[Signature Confirmation](#)

Keyword/Search

[keyword](#)

[search](#)

Shipment History

You entered EM55 7240 245U S

Your item arrived at 7:33 am on April 22, 2002 in LOS ANGELES, CA 90067. Status is updated every evening. Please check again later.

Here is what happened earlier:

- ARRIVAL AT UNIT, April 21, 2002, 9:28 am, ZIP Code 90148
- FORWARD EXPIRED, April 20, 2002
- ARRIVAL AT UNIT, April 20, 2002, 6:12 am, VENICE, CA 90291
- ENROUTE, April 19, 2002, 10:12 pm, INGLEWOOD, CA 90311

Track & Confirm

Enter number from shipping receipt
the field below:



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Exhibit D



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[Web Tools](#)

► Shipping Solutions *Track & Confirm*



► Track & Confirm

[Delivery Confirmation™](#)
[Signature Confirmation™](#)

Keyword/Search

keyword

search

Delivery Status

You entered EL084868946US

Your item arrived at the INGLEWOOD CA
90311 processing facility at 5:41 pm on April 24.

[Shipment History >](#)

Track & Confirm

Enter number from shipping recei

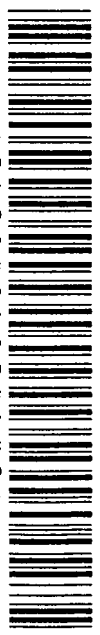


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PICKUP OR TRACKING CALL 1-800-222-1811



* E L O 8 4 8 6 8 9 4 6 U S *

EL08486894BUS



UNITED STATES POSTAL SERVICE™

POST OFFICE TO ADDRESSEE

Mailing Label
Label 11-F July 1997

134/ 15
F02

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second			<input type="checkbox"/> Flat Rate Envelope		Delivery Attempt Time	
Date in	Mo. Day Year <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM			Postage \$		Mo. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
Time in	Mo. Day Year <input type="checkbox"/> AM <input type="checkbox"/> PM			Return Receipt Fee		Mo. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
Weight lbs.	Int'l Alpha Country Code			COD Fee		Employee Signature	
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>	Acceptance Clerk Initials			Insurance Fee		Signature of Addressee or Agent	
CUSTOMER USE ONLY				Name - Please Print			
METHOD OF PAYMENT: X901354				X			
FEDERAL AGENCY ACT. NO. or POSTAL SERVICE ACT. NO.				X			
NO DELIVERY				X			
WAVES OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waves of signature is requested. (with delivery to be made without obtaining signature of addressee or addressee's agent. If delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.				X			

FROM: (PLEASE PRINT) PHONE ()
IRELL & MANELLA LLP
1800 AVENUE OF THE STARS #900
LOS ANGELES CA 90067-4276
153501-0321

TO: (PLEASE PRINT) PHONE ()
Ronald Miller
24 Yawl Street, #6
Marina del Rey, CA 90292

PRESS HARD. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.gov



8486894